

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x

JAMES MAJOR,	:	
	:	
Plaintiff,	:	17 Civ. 6026 (AT) (AJP)
	:	
-against-	:	<b><u>REPORT &amp; RECOMMENDATION</u></b>
	:	
NEW YORK CITY HOUSING	:	
AUTHORITY, et al.,	:	
	:	
Defendants.	:	

----- x

**ANDREW J. PECK, United States Magistrate Judge:**

Plaintiff Major was ordered to file an Amended Complaint by 10/17/17. (Dkt. No. 4: 8/21/17 Order.) When he did not do so, on 11/28/17, I ordered him to show cause in writing by 12/11/17 as to "why his case should not be dismissed for failure to obey Court orders and failure to prosecute his case." (Dkt. No. 6: 11/28/17 Order.) Plaintiff Major has not responded to the Order to Show Cause, filed an Amended Complaint, or taken any action to pursue his case.

Accordingly, Major's case should be dismissed without prejudice for failure to obey Court orders and failure to prosecute the case.

**FILING OF OBJECTIONS TO THIS REPORT AND RECOMMENDATION**

Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure, the parties shall have fourteen (14) days from service of this Report to file written objections. See also Fed. R. Civ. P. 6. Such objections (and any responses to objections) shall be filed with the Clerk of the Court, with courtesy copies delivered to the chambers of the Honorable Analisa Torres, 500 Pear Street, Room 2210, and to my chambers, 500 Pearl Street, Room 1370. Any requests for an extension of time for filing objections must be directed to Judge Torres (with

a courtesy copy to my chambers). Failure to file objections will result in a waiver of those objections for purposes of appeal. Thomas v. Arn, 474 U.S. 140, 106 S. Ct. 466 (1985); Ingram v. Herrick, 475 F. App'x 793, 793 (2d Cir. 2012); IUE AFL-CIO Pension Fund v. Herrmann, 9 F.3d 1049, 1054 (2d Cir. 1993), cert. denied, 513 U.S. 822, 115 S. Ct. 86 (1994); Frank v. Johnson, 968 F.2d 298, 300 (2d Cir.), cert. denied, 506 U.S. 1038, 113 S. Ct. 825 (1992); Small v. Sec'y of Health & Human Servs., 892 F.2d 15, 16 (2d Cir. 1989); Wesolek v. Canadair Ltd., 838 F.2d 55, 57-59 (2d Cir. 1988); McCarthy v. Manson, 714 F.2d 234, 237-38 (2d Cir. 1983).

DATED: New York, New York  
December 20, 2017



---

**Andrew J. Peck**  
United States Magistrate Judge

Copies to: Major (regular & certified mail)  
Judge Torres